

# EXHIBIT A

## Community Programs

### 213.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for developing community programs and to define the eligibility criteria for participants in Community Programs.

### 213.2 POLICY

It is the policy of the San Francisco Sheriff's Department to provide alternatives to incarceration for pre-sentenced and sentenced individuals based upon an individual risk assessment and consistent with public safety goals. The Department has the discretion to place any eligible incarcerated person in an alternative program.

### 213.3 PROGRAM GUIDELINES

Community programs are subject to the approval of the Administration Operations Division (AOD) Commander or the authorized designee.

- (a) Incarcerated persons released to an alternative program will be released pursuant to the Sheriff's Department authority, based on:
  - 1. 1203.016 PC (Home Detention)
  - 2. 1203.017 (Involuntary Home Detention)
  - 3. 1203.018 PC (Pre-sentenced Home Detention)
  - 4. 3081(b) PC (County Parole)
  - 5. 4024.2 PC (Sheriff's Work Alternative Program (SWAP))
- (b) Eligibility for Alternative Programs
  - 1. Pre-sentenced incarcerated persons may become eligible for Pretrial Electronic Monitoring (PTM) or other alternatives to incarceration by:
    - (a) Court order
    - (b) A condition of Own Recognizance (OR) or bail
    - (c) Per 1203.018 PC (must meet all eligibility criteria)
  - 2. Sentenced incarcerated persons (must meet all eligibility criteria)
    - (a) A 1170 (h)(5)(A) PC straight sentenced individual shall be reviewed for electronic monitoring when they have 9 months, 6 months and 3 months remaining on the sentence. For persons with a sentence of more than two years, the person shall be eligible to apply for an electronic monitoring review after 50% of the sentence has been served, and every three months thereafter.
    - (b) Will be considered Heightened Scrutiny.

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- (c) An 1170 (h)(5)(B) PC split sentenced individual may be eligible to participate in community programs pending a review of the incarcerated person's risk assessment and treatment plan.
- 3. SWAP/PREP
  - (a) incarcerated persons must be able to complete SWAP obligations within one year.
  - (b) An incarcerated person must have served 50% of a sentence in custody before becoming eligible to participate in SWAP.
- (c) Electronic Monitoring/Home Detention (EM)
  - 1. There must be a minimum of 30 days remaining in the incarcerated person's sentence.
  - 2. An incarcerated person sentenced to more than one year will be reviewed for release to EM when they have 9 months, 6 months and 3 months remaining on the sentence.
  - 3. An incarcerated person sentenced to less than a year will be reviewed for release to EM when at least 50% of the sentence is completed.
    - (a) An incarcerated person not released to EM after the first review will have a second review when 70% of the sentence is completed.
- (d) Out of county SWAP/EM commitments may be served in San Francisco if the person lives in San Francisco.
  - 1. Out of County commitments are subject to the same constraints as in county commitments.
- (e) Ineligibility for Alternative Programs
  - 1. Persons who are ineligible for alternative programs, who meet at least one of the criteria below, requires a review and approval by sworn supervisor.
    - (a) A Stay Away/Restraining Order from persons and places including:
      - 1. A Stay Away order from a place or person
      - 2. A Temporary Restraining Order (TRO)/Civil Protective Order (CPO) from a named person
    - (b) A prior felony conviction within the past seven years requiring registration under the 290 Law. If approved would be under heightened scrutiny.
      - 1. The seven-year period is from this time the individual was released from incarceration.
  - (c) Inappropriate behavior in a custody setting, including:
    - 1. Physical altercations
    - 2. Documented conflict with department employees or contract service providers

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3. Multiple Serious or Major Rule Violations
  4. Documented threats
  5. Administrative Separation status (excluding protective custody incarcerated persons) with an MR3/MR4 status.
2. Persons who are ineligible for alternative programs based on at least one of the criteria below and wish to appeal may do so by contacting the Unit Commander in writing.
    - (a) Ineligible offense per the Alternative Program Eligibility Chart
      1. Current charge and/or conviction in the past 5 years
    - (b) A current misdemeanor charge, or past conviction, that requires a 290 Registration.
    - (c) A 273.6 Domestic Violence restraining order or a violation of a CPO in the past 18 months pursuant to a conviction of 273.6.
      1. The 18 months shall be counted from 18 months of the current release from incarceration.
    - (d) Have an active hold with the California Department of Corrections and Rehabilitation (CDCR)
  3. Persons who are ineligible for alternative programs due to the criteria below, requires a review and approval by the Sheriff.
    - (a) A felony charge or past conviction, less than seven years, that requires a 290 Registration.
  - (f) If the court rules that an individual is ineligible for an alternative program, the Sheriff's Department will give great deference to the court ruling.

Procedural link:

[Custody and Court Operations Procedure Manual: 213.1 ALTERNATIVE PROGRAM ELIGIBILITY PROCEDURES](#)

**213.4 TRANSPORTATION TO PROGRAMS**

The Sheriff's Department will facilitate the transportation of incarcerated persons to programs as directed by issued court orders.

- (a) Prior to transporting a sentenced incarcerated person to a program, deputies must have:
  1. A Commitment specifying that the sentence may be served in a residential treatment program that the Department has on file.
    - (a) A Transportation Order, may be included in the Commitment, stating that the Sheriff will transport the incarcerated person to a specific residential treatment program.
  2. An acceptance letter from the program.

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- (b) Prior to transporting a person serving time as part of a split sentence in a residential treatment program, the person must be evaluated for electronic monitoring.
  - 1. If the person does not meet the Alternative Sentence Eligibility requirements, the matter must be referred to a Community Programs Unit sworn supervisor. The supervisor shall refer a heightened scrutiny case to the Unit Commander.
- (c) incarcerated persons shall not be released to a program until cleared by the Central Records and Warrants Unit (CRW) (i.e. warrant and hold check).

Procedural link:

[Custody and Court Operations Procedure Manual: 213.2 TRANSPORTATION TO PROGRAMS PROCEDURE](#)

**213.5 RESIDENTIAL TREATMENT PROGRAMS**

- (a) Residential treatment programs are subject to site visits as would any other residential location for an electronic monitoring participant.
- (b) Residential treatment programs do not have the authority to waive the requirement for electronic monitoring.
- (c) A person serving a split sentence in a residential treatment program, who has an electronic monitoring device, shall have the device removed when the constructive portion of the sentence is complete.
- (d) Sentenced individuals who abscond from a residential treatment program are subject to arrest and **shall not**:
  - 1. Receive credit for time served for any time spent in the treatment program. Upon being notified that the person absconded, Community Programs deputies shall inform the CRW of that fact.
  - 2. Be transported to another residential treatment program, for one year from the date of the event.

**213.6 ELECTRONIC MONITORING PRE-TRIAL DEFENDANT LOCATION REQUEST**

Without a subpoena duces tecum returnable to a court or signed search warrant, information derived from any GPS equipment will not be supplied to any person or entity outside the San Francisco Sheriff's Department.

Without a subpoena duces tecum returnable to a court or signed search warrant, any information regarding any actions taken by Sheriff's Department members based on any GPS information will not be supplied to any person or entity outside the San Francisco Sheriff's Department.

Refer to the Administration and Field Subpoenas and Court Appearances Policy for direction on submitting a subpoena.

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### **213.7 ATTACHMENTS**

See attachment: [Alternative Programs Eligibility Checklist.pdf](#)

See attachment: [Alternative Programs Eligibility Chart Guidelines.pdf](#)

See attachment: [Alternative Programs Ineligibility List.pdf](#)

## Attachments

## **Alternative Programs Eligibility Checklist.pdf**





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## Alternative Programs Eligibility Checklist

Last

First

SF #

Court #

Sentence Date

Commitment Received Date

TX Date

Review Date

Stay Away/Restraining Order ☐ Yes☐ No

If yes, it is:

☐ Person☐ Place

Associated Court #: \_\_\_\_\_

Name(s) or Address(es) of protected:

\_\_\_\_\_

\_\_\_\_\_

Supervisor's Initials: \_\_\_\_\_

Sentence Type (check all that apply)

☐ 1170(h)(5)(A) - Straight Jail Time☐ 1170(h)(5)(B) - Split Sentence☐ 3455(b) - PRCS Revocation☐ MTR - Misd or Felony Probation☐ County Jail Sentence☐ Other \_\_\_\_\_

Conviction of ineligible offense as defined by 667.5 PC, 1192.7 PC, AB109 Exclusionary List?

☐ No☐ Yes

If yes, it is a:

☐ Current Conviction☐ Conviction within last five years\_\_\_\_\_  
List charge(s) and conviction date(s)

Conviction of an offense on Community Programs Automatic Ineligible List?

☐ No☐ Yes

If yes, it is a:

☐ Current Conviction☐ Conviction within last five years\_\_\_\_\_  
List charge(s) and conviction date(s)

Check ALL that make the person ineligible:

☐ Sentenced - 3454(b) Flash Incarceration (PRCS)☐ 290 Registrant☐ CDC/ICE/Out of County non-citable hold☐ Negative In-Jail Behavior☐ 3056 - Parole Revocation/PVC☐ Court Ordered Ineligible\_\_\_\_\_  
List holds and / or describe in-jail behavior☐ Offender is eligible for Community Programs☐ Offender is **not** eligible for Community Programs☐ Offender is eligible for Community Programs with **Heightened Scrutiny (HS)**\_\_\_\_\_  
Name and Badge of Supervisor Approving HS

Comments: \_\_\_\_\_

\_\_\_\_\_  
Staff Name and Badge Completing Form\_\_\_\_\_  
Date Completed

## **Alternative Programs Eligibility Chart Guidelines.pdf**



# San Francisco Sheriff's Department

## Alternative Program Eligibility Chart Guidelines

DISQUALIFIERS	EXPLANATIONS	
290 Registrant	A person charged with or a conviction of a sex offense requiring 290 registration is in general not eligible. Misdemeanor charges may be referred to the Unit Commander, but all felony convictions must be approved by the Sheriff with a court order.	
3056 – Parole Violation Commitment (PVC)	A felon in violation of the terms and conditions of paroled release from the California State Prison system and sentenced to County Jail to complete the revocation time is not eligible.	
3454(b) – Flash Incarceration	A period of detention in county jail due to a violation of an offender's conditions of post-release community supervision, up to a maximum of 10 days	
CDC/ICE/Out-of-County Holds <b>ONLY</b>	A person whose local charges have been adjudicated and has a hold from another jurisdiction is not eligible.	
Current Charge of an Ineligible Offense <b>OR</b> Conviction of Ineligible Offense in Past 5 Yrs.	Any crime that falls into the following: 667.5 PC (List of Violent Felonies), 1192.7 PC (List of Serious Felonies), Sex Offense, AB109 Exclusionary List, Community Programs Ineligible List	
QUALIFYING CATEGORIES	TYPE OF PROGRAM	EXCEPTIONS/COMMENTS
1170(h)(A) – Straight Jail Time	EM with a case management plan approved by the EM vendor and sworn supervisor.	Individuals who meet Alternative Programs Eligibility Criteria shall be reviewed when they have 9, 6 and 3 months remaining on their sentence.
1170(h)(B) – Split Sentence w/Mandatory Supervision by Probation	EM, SWAP, Community Programs (5KCS, NoVA, PREP, SRP, TOD, WRC)	Eligibility for Community Programs is dependent on a consultation with APD and a review of the inmate's risk assessment and treatment plan.
1203.2 – Mandatory Supervision Revocation, Probation Revocation or PRCS Revocation by Probation	EM, SWAP, Community Programs (5KCS, NoVA, PREP, SRP, TOD, WRC)	Eligibility for Community Programs is dependent on a consultation with APD and a review of the inmate's risk assessment and treatment plan.
In-Custody & Out-of-Custody	EM, SWAP, Community Programs (5KCS, NoVA, PREP, SRP, TOD, WRC)	Must meet Community Programs Eligibility Criteria
Pre-Sentenced	Pre-Trial Electronic Monitoring (PTM)	Court order required for eligibility as a condition of OR only or per 1203.018 PC
EXCEPTIONS	EXPLANATIONS	
<b>HEIGHTENED SCRUTINY ELIGIBLE</b>	Circumstances where eligibility for participation in an alternative community program would require a higher level of review for placement and requires more intensive supervision after placement; Court ordered placements for in and out of custody individuals.	
<b>COURT ORDERS</b>	A court order must be issued for any instance a judge wants to send a defendant to a program in which the defendant does not otherwise meet the eligibility criteria set forth by the SFSD.	

## **Alternative Programs Ineligibility List.pdf**



**San Francisco Sheriff's  
Department  
Alternative Programs Ineligibility List**

PROVISION	TYPE	DESCRIPTION	NEW PROVISION
37	Ineligible Charges per 1192.7 PC	Treason	
128	Ineligible Charges per 1192.7 PC	Perjury Resulting in Capital Punishment	
136.1	Ineligible Charges per 1192.7 PC	Intimidation of Witness	
166	Community Programs Ineligible List	Contempt of Court	
182	Ineligible Charges per 1192.7 PC	Conspiracy to Commit a Crime Listed in this Section	
186.11	AB 109 Exclusionary List	Felony convictions with a Penal Code Section 186.11 Enhancement	
186.22	Ineligible per 1192.7 / AB 109	Criminal Gang Activity (Any Felony Which Would Also Constitute a Felony Violation of this Section)	
186.26	AB 109 Exclusionary List	Street Gang Activity	
186.33	AB 109 Exclusionary List	Gang Registration Violation	
187	Ineligible per 1192.7 PC / 667.5 PC	Murder	
191.5(c)	AB 109 Exclusionary List	Vehicular Manslaughter while Intoxicated	
192(a)	Ineligible per 1192.7 PC / 667.5 PC	Voluntary Manslaughter	
203, 205	Ineligible Charges per 1192.7 PC	Mayhem	
206	Community Programs Ineligible List	Torture	
207, 208, 209 (all subsections), 209.5	Ineligible per 1192.7 PC / 667.5 PC	Kidnapping	
211, 212.5	Ineligible per 1192.7 PC / 667.5 PC	Any Robbery, including Bank Robbery	
215, 215(a)	Ineligible per 1192.7 PC / 667.5 PC	Carjacking	
217.1	Community Programs Ineligible List	Assault on P.O.	
218	Community Programs Ineligible List	Causing a Train Wreck	
220	Ineligible per 1192.7 PC / 667.5 PC	Assault with Intent to Commit Mayhem, Rape, Sodomy, or Oral Copulation	
222	AB 109 Exclusionary List	Administering Stupefying Drugs to Assist in the Commission of a Felony	
243.4	Community Programs Ineligible List	Sexual Battery	

## Alternative Programs Ineligibility List



PROVISION	TYPE	DESCRIPTION	NEW PROVISION
243.7	AB 109 Exclusionary List	Battery Against a Juror	
243.9	AB 109 Exclusionary List	Gassing of a Peace Officer or Local Detention Facility Employee	
244	Ineligible Charges per 1192.7 PC	Throwing Acid or Flammable Substance	
245(a)(1)	Ineligible Charges per 1192.7 PC	Only if Assault with Deadly Weapon	
245(a)(1)	Ineligible Charges per 1192.7 PC	Assault with Force Likely to Commit Great Bodily Injury	245(a)(4)
245(b)	Ineligible Charges per 1192.7 PC	Assault with Semi-Automatic Firearm	
245(c)	Ineligible Charges per 1192.7 PC	Assault with Deadly Weapon on a Peace Officer	
245(d)	Ineligible per 1192.7 PC / AB 109	Assault with Deadly Weapon on a Peace Officer	
246	Ineligible Charges per 1192.7 PC	Discharge of a Firearm at an Inhabited Dwelling, Vehicle, or Aircraft	
261 (all subsections), 262	Ineligible per 1192.7 PC / 667.5 PC	Rape	
262	Ineligible Charges per 667.5 PC	Spousal Rape	
264	Ineligible Charges per 667.5 PC	Rape in Concert with Another	
264.1	Ineligible Charges per 1192.7 PC	Commission of Rape or Sexual Penetration in Concert with Another Person	
266	Community Programs Ineligible List	Sexual Enticement of Minors	
266a	AB 109 Exclusionary List	Abduction or Procurement by Fraudulent Inducement for Prostitution	
266e	AB 109 Exclusionary List	Purchasing a Person for Purposes of Prostitution or Placing a Person for Immoral Purpose	
266h	AB 109 Exclusionary List	Sale of a Person for Immoral Purposes	
266i	AB 109 Exclusionary List	Pimping and Pandering of a Minor	
266j	AB 109 Exclusionary List	Procurement of a Child under the age of 16 for Lewd or Lascivious Acts	
272(b)	AB 109 Exclusionary List	Persuading, Luring, or Transporting a Minor under 13	
273	Community Programs Ineligible List	Receiving Funds for Adoption of Child	
273a	AB 109 Exclusionary List	Felony Child Abuse likely to Produce Great Bodily Injury or Death	
273ab	AB 109 Exclusionary List	Assault resulting in the Death of a Child under the age of 8	

## Alternative Programs Ineligibility List



PROVISION	TYPE	DESCRIPTION	NEW PROVISION
273.5	AB 109 Exclusionary List	Felony Domestic Violence	
286(c)(2)	Ineligible Charges per 1192.7 PC	Sodomy by Force, Duress, Violence, Menace, Threat, or Fear	
286(c)(3)	Ineligible Charges per 1192.7 PC	Sodomy by Force, Duress, Violence, Menace, Threat, or Fear	
286(d)	Ineligible per 1192.7 PC / 667.5 PC	Sodomy in Concert with Another	
288(all subsections)	Ineligible Charges per 667.5 PC	Sodomy	
288(a)	Ineligible per 1192.7 PC / 667.5 PC	Lewd or Lascivious Acts with Minor under 14	
288a(c)	Ineligible Charges per 667.5 PC	Oral Copulation with a Minor Under 14	
288a(c)(2)	Ineligible Charges per 1192.7 PC	Oral Copulation by Force, Violence, Duress, Threat, or Fear	
288a(c)(3)	Ineligible Charges per 1192.7 PC	Oral Copulation by Force, Violence, Duress, Threat, or Fear	
288a(d)	Ineligible per 1192.7 PC / 667.5 PC	Oral Copulation by Force, Violence, Duress, Threat, or Fear	
288(b)(1)	Ineligible Charges per 667.5 PC	Lewd or Lascivious Acts with Force, Violence, Duress, Menace, or Fear	
288.5	Ineligible per 1192.7 PC / 667.5 PC	Continuous Sexual Abuse of a Child	
289(a)(1)	Ineligible per 1192.7 PC / 667.5 PC	Forcible Acts of Sexual Penetration	
289(a)(2)	Ineligible Charges per 1192.7 PC	Forcible Acts of Sexual Penetration	
289(j)	Ineligible Charges per 667.5 PC	Sexual Penetration with a Minor Under 14	
290	Community Programs Ineligible List	Registration of Sex Offender	
347	AB 109 Exclusionary List	Poisoning or Adulterating Food, Drink, Medicine, Pharmaceutical Products, Spring, Well, Reservoir, or Public Water Supply	
368	Community Programs Ineligible List	Crimes Against Dependant Adults	
368b	AB 109 Exclusionary List	Felony Physical Abuse of an Elder or Dependant Adult	
417(c)	AB 109 Exclusionary List	Brandishing a Firearm in the Presence of a Peace Officer	
417.8	AB 109 Exclusionary List	Brandishing a Firearm or Deadly Weapon to Resist or Avoid Arrest	
422	Ineligible Charges per 1192.7 PC	Criminal Threats	
422.55	Community Programs Ineligible List	Hate Crimes	
451, 451.5	Ineligible Charges per 1192.7 PC	Arson	



PROVISION	TYPE	DESCRIPTION	NEW PROVISION
451(a)	Ineligible Charges per 667.5 PC	Arson that Results in Great Bodily Injury (GBI)	
451(b)	Ineligible Charges per 667.5 PC	Arson of an Inhabited Structure of Property	
452	AB 109 Exclusionary List	Unlawfully causing a Fire that causes an Inhabited Structure or Inhabited Property to Burn	
459, 460	Ineligible per 1192.7 PC / 667.5 PC	First Degree Burglary	
487(d)(2)	Ineligible Charges per 1192.7 PC	Grand Theft of Firearm	
518, 186.22	Ineligible Charges per 667.5 PC	Extortion	
646.9	AB 109 Exclusionary List	Felony Stalking	
653f(b)	AB 109 Exclusionary List	Solicitation of Murder	
664.187	Ineligible Charges per 667.5 PC	Attempted Murder	
2800.2	AB 109 Exclusionary List	Evading a Peace Officer by Driving in a Willful or Wanton Disregard for the Safety of Person or Property	
2800.3	AB 109 Exclusionary List	Evading a Peace Officer Causing Death or Serious Bodily Injury	
4131.5	Community Programs Ineligible List	Battery Upon Person Not Confined	
4500, 4501	Ineligible Charges per 1192.7 PC	Assault by a Life Prisoner or Non-Inmate	
4501.1	Community Programs Ineligible List	Aggravated Battery - Gassing	
4503	Ineligible Charges per 1192.7 PC	Holding Person Hostage by Prisoner	
4532	AB 109 Exclusionary List	Escape	
4535	Community Programs Ineligible List	Aiding a Prisoner's Escape	
4573	Community Programs Ineligible List	Bringing Controlled Substances to jail	
4574	Community Programs Ineligible List	Bringing Weapons to Jail	
4600	Community Programs Ineligible List	Destroying Jails	
11353	AB 109 Exclusionary List	Employment of a Minor to sell Controlled Substances	
11353, 11380	Ineligible Charges per 1192.7 PC	Selling PCP, Cocaine, or Methamphetamine or Precursors to Minors	
11354	AB 109 Exclusionary List	Employment of a Minor to sell Controlled Substances	
11361(a)(b)	AB 109 Exclusionary List	Employment of a Minor to sell Marijuana	
11370.1	AB 109 Exclusionary List	Possession of a Controlled Substance while Armed with a Firearm	
11380(a)	AB 109 Exclusionary List	Use of a Minor to Transport/Possess for Sale	





PROVISION	TYPE	DESCRIPTION	NEW PROVISION
11418(b)(all subsections)	Ineligible per 1192.7 PC / 667.5 PC	Use of Weapons of Mass Destruction Against People	
11418(c)	Ineligible per 1192.7 PC / 667.5 PC	Use of Weapons of Mass Destruction Against Natural Resources	
12020	Community Programs Ineligible List	Supply Weapons to Jail	
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Hand Grenades	19200(a)
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Air Gauge Knife	20310
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Belt Buckle Knife	20410
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Cane Sword	20510
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Lipstick Case Knife	20610
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Shobi-Zue	20710
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Writing Pen Knife	20910
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Ballistic Knife	21110
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Metal Knuckles	21810
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Nunchaku	22010
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon	22210
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Shuriken	22410
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Camouflage Firearm Container	24310
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Cane Gun	24410
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Unrecognizable Firearm	24510
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Undetectable Firearm	24610
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Wallet Gun	24710
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Flechette Dart	30210(a)
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Bullet with Explosive Agent	30210(b)
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Unconventional Pistol	31500
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Multi-Burst Trigger Activator	32900
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Short-Barreled Rifle/Shotgun	33215



PROVISION	TYPE	DESCRIPTION	NEW PROVISION
12020(a)(1)	Community Programs Ineligible List	Possession of a Deadly Weapon: Zip Gun	33600
12020(a)(2)	Community Programs Ineligible List	Large Capacity Magazine Activity	32310
12020(a)(3)	Community Programs Ineligible List	Carrying Explosives	19100
12020(a)(4)	Community Programs Ineligible List	Carrying a Dirk and Dagger	21310
12020.1	Community Programs Ineligible List	Commercial Possession of Composite Knuckles or Hard Wooden Knuckles	21710
12021, 12021.1	AB 109 Exclusionary List	Possession of a Firearm by a Prohibited Person	
12021	Ineligible Charges per 1192.7 PC	Assault with Deadly Weapon by Inmate	
12021(c)(1)	Community Programs Ineligible List	Persons Prohibited From Possessing Firearms	29805
12021(d)(1)	Community Programs Ineligible List	Persons Prohibited or Restricted From Possession Firearms	29815(a)
12021(e)	Community Programs Ineligible List	Persons Prohibited From Possessing Firearms Under The Age of 30	29820(b)
12021(g)(1)	Community Programs Ineligible List	Persons Prohibited From Purchasing Firearms	29825(a)
12021(g)(2)	Community Programs Ineligible List	Persons Prohibited From Owning and Possessing Firearms	29825(b)
12021.1(a)	Community Programs Ineligible List	Possession of Firearm with Prior Conviction	29900(a)(1)
12022	Community Programs Ineligible List	Commits Felony with Firearm	
12022.3(a)	Ineligible per 1192.7 PC/667.5 PC	Use of Firearm Additional Punishment (Sex Offenses)	
12022.5	Ineligible per 1192.7 PC/667.5 PC	Use of Firearm (Assault Weapons, Machineguns, .50BMG Rifles Committed or Attempted)	
12022.53	Ineligible per 1192.7 PC/667.5 PC	Use of Firearm (Sentence Enhancements Listed Offenses)	
12022.55	Ineligible per 1192.7 PC/667.5 PC	Discharging of Firearm from Motor Vehicle Causing GBI or Death	
12022.7	Ineligible per 1192.7 PC/667.5 PC	Inflicting GBI while Committing or Attempting Felonies Listed	
12022.8	Ineligible per 1192.7 PC/667.5 PC	Inflicting GBI while Committing or Attempting to Commit Listed Sex Offenses	
12022.9	Ineligible per 1192.7 PC/667.5 PC	Inflicting GBI on Pregnant that Causes Termination of Pregnancy Additional Punishment	
12023	Community Programs Ineligible List	Armed Criminal Activity	25800(a)
12024	Community Programs Ineligible List	Intent to Assault - Deadly Weapon	
12025	Community Programs Ineligible List	Carrying a Concealed Weapon	25400
12025(a)(1)	Community Programs Ineligible List	Having a Concealed Firearm in a Vehicle	25400(a)(1)

## Alternative Programs Ineligibility List



PROVISION	TYPE	DESCRIPTION	NEW PROVISION
12025(a)(1)	Community Programs Ineligible List	Convicted Person Having a Concealed Firearm in a Vehicle	25400(a)(1)
12025(a)(1)	Community Programs Ineligible List	Having a Concealed Stolen Firearm	25400(a)(1)
12025(a)(1)	Community Programs Ineligible List	Concealed Firearm in Vehicle - Street Gang	25400(a)(1)
12025(a)(1)	Community Programs Ineligible List	Concealed Firearm in Vehicle - Unlawful Possession/Prohibited Class	25400(a)(1)
12025(a)(1)	Community Programs Ineligible List	Concealed Firearm in Vehicle - Convicted of Crime Against Person, Property, or of a Narcotics Violation	25400(a)(1)
12025(a)(1)	Community Programs Ineligible List	Concealed Firearm in Vehicle - Not Registered Owner	25400(a)(1)
12025(a)(2)	Community Programs Ineligible List	Concealed Firearm on Person	25400(a)(2)
12025(a)(2)	Community Programs Ineligible List	Concealed Firearm on Convicted Person	25400(a)(2)
12025(a)(2)	Community Programs Ineligible List	Concealed Stolen Firearm on Person	25400(a)(2)
12025(a)(2)	Community Programs Ineligible List	Concealed Firearm on Person - Street Gang	25400(a)(2)
12025(a)(2)	Community Programs Ineligible List	Concealed Firearm on Person - Unlawful Possession/Prohibited Class	25400(a)(2)
12025(a)(2)	Community Programs Ineligible List	Concealed Firearm on Person - Convicted of Crime Against Person, Property or of a Narcotics Violation	25400(a)(2)
12025(a)(2)	Community Programs Ineligible List	Concealed Firearm on Person - Not Registered Owner	25400(a)(2)
12025(a)(3)	Community Programs Ineligible List	Occupant with Concealed Firearm in Vehicle	25400(a)(3)
12025(a)(3)	Community Programs Ineligible List	Convicted Occupant with Concealed Firearm in Vehicle	25400(a)(3)
12025(a)(3)	Community Programs Ineligible List	Occupant with Concealed, Stolen Firearm in Vehicle	25400(a)(3)
12025(a)(3)	Community Programs Ineligible List	Occupant with Concealed Firearm in Vehicle - Street Gang	25400(a)(3)
12025(a)(3)	Community Programs Ineligible List	Occupant with Concealed Firearm in Vehicle - Unlawful Possession/Prohibited Class	25400(a)(3)
12025(a)(3)	Community Programs Ineligible List	Occupant with Concealed Firearm in Vehicle - Convicted of Crime Against Person, Property or of a Narcotics Violation	25400(a)(3)
12025(a)(3)	Community Programs Ineligible List	Occupant with Concealed Firearm in Vehicle - Not Registered Owner	25400(a)(3)
12031	Community Programs Ineligible List	Carrying Loaded Firearm	
12031(a)(1)	Community Programs Ineligible List	Carrying Loaded Firearm	25850(a)

**Alternative Programs Ineligibility List**

PROVISION	TYPE	DESCRIPTION	NEW PROVISION
12031(a)(1)	Community Programs Ineligible List	Convicted Person Carrying Loaded Firearm	25850(a)
12031(a)(1)	Community Programs Ineligible List	Carrying Loaded, Stolen Firearm	25850(a)
12031(a)(1)	Community Programs Ineligible List	Carrying Loaded Firearm - Street Gang	25850(a)
12031(a)(1)	Community Programs Ineligible List	Carrying Loaded Firearm - Unlawful Possession/Prohibited Class	25850(a)
12031(a)(1)	Community Programs Ineligible List	Carrying Loaded Firearm - Convicted of Crime Against Person, Property or of a Narcotics Violation	25850(a)
12031(a)(1)	Community Programs Ineligible List	Carrying Loaded Firearm - Not Registered Owner	25850(a)
12034, 12034(c)&(d)	Ineligible per 1192.7 PC / Community Programs	Discharge of Firearm from Vehicle	
12034(a)	Community Programs Ineligible List	Permitting Loaded Firearm in Vehicle	26100(a)
12040	Community Programs Ineligible List	Criminal Possession of Firearm	
12040(a)	Community Programs Ineligible List	Carrying a Firearm in a Public Place While Masked to Hide Identity	25300(a)
12303	Community Programs Ineligible List	Possession of a Destructive Device	18710(a)
12303.1(a)	Community Programs Ineligible List	Carrying an Explosive in a Passenger Vehicle for Hire	18725(a)
12303.2	AB 109 Exclusionary List	Possession of a Destructive Device in Public Places	18715(a)
12303.3	Ineligible Charges per 1192.7 PC	Explosion or Attempt to Explode Destructive Device with Intent to Injure	18740
12303.6	Community Programs Ineligible List	Sale or Transportation of a Destructive Device	18730
12308	Ineligible per 1192.7 PC / 667.5 PC	Explosion or Attempt to Explode Destructive Device with Intent to Cause GBI/Murder	18745
12309	Ineligible per 1192.7 PC / 667.5 PC	Explosion of Destructive Device with GBI	18750
12310	Ineligible per 1192.7 PC / 667.5 PC	Explosion of Destructive Device causing Death, Mayhem, or GBI	18755(a)
20001	AB 109 Exclusionary List	Hit and Run causing Death or Injury	
20003 VC	Community Programs Ineligible List	Duty Upon Injury or Death	
120291	AB 109 Exclusionary List	Knowingly Expose someone to HIV	